

defendant pleads guilty at arraignment or is found guilty at trial. However, this information must reach the court as soon as possible to be considered if the defendant pleads guilty at his/her arraignment.

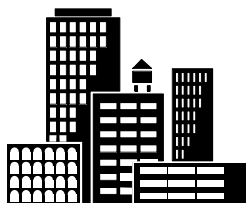
It could take three or four months for the case to come to trial, but the court tries to schedule these matters as soon as possible. You will receive a notice informing you of the trial date and time.

At the trial, you will present your case and the defendant will present his/hers. The trial will be held before the municipal judge. There will not be a jury. You may each present evidence and witnesses who can give relevant testimony. If you want your witnesses subpoenaed (ordered to come to court), you will need to submit the names and addresses (and telephone numbers) In writing to the Corvallis Municipal Court, 760 SW Madison Avenue, Corvallis, Oregon, 97333, as soon as possible but at least 12 days before the trial date.

If the defendant is represented by an attorney, the City Attorney's Office will present your case; you will be a witness.

The judge will make a decision after

hearing all the evidence and witnesses. If the case is "taken under advisement", the judge will make a decision at a later time. In those instances, the court will inform you of the decision.



This Information is intended to provide you with general information regarding the processing of citations through the Municipal Court. It is not intended to provide legal advice nor address all details of the process.

For more information call:
Corvallis Police Department
(541) 766-6924
or Corvallis Municipal Court
(541) 766-6948

Crime Prevention/Brochures/Rev.05/02



A GUIDE TO THE CITIZEN CITATION PROCESS IN THE CITY OF CORVALLIS

Corvallis Police Department
180 NW 5th St
Corvallis, OR 97330
(541)766-6924

Citizen Arrest Process

If you desire to charge a person for an alleged violation of a City Ordinance (or State Statute), you must report the incident to a police officer who will investigate the complaint. The officer will take statements from involved persons, collect evidence, and determine whether probable cause of a law violation exists. One of the following will occur:

A. If the facts show a violation occurred, and you can identify the violator, you may sign a citation. The investigation report and citation are forwarded to the City Attorney for endorsement and to the court for filing. Once endorsed, the citation will be served on the alleged violator by the police officer.

B. If the investigation does not establish probable cause that the offense occurred or that the person accused is the one that committed the offense, the officer is legally prohibited from allowing the arrest (citation). Under these circumstances, the officer may forward the investigative report and an unsigned citation to the City Attorney for review and evaluation of the existence of probable cause. If the City

Attorney determines adequate cause exists, you will be allowed to file charges. If the citation is voided, you will be notified by the City Attorney's Office.

C. If the violation in question involves a traffic law, and the officer has determined a violation did occur and the identity of the alleged violator, you may sign a traffic citation. The officer will forward it to the City Attorney for endorsement and to Municipal Court for filing. After the traffic citation is endorsed, it is returned to the police department for service on the alleged violator, and the appropriate copy of the citation is filed with the court.

The officer will explain the citizen arrest process and next steps, and will provide a case number for your reference, if one is available.

Obtaining A Copy Of Your Police Report

The Police officer's investigation will be documented in a written report. To obtain a copy of the police report, you must contact the Corvallis Police Department, records Unit, 180 NW 5th Street, Corvallis, OR 97330, (541)766-6924. You will be charged a fee for the copy.

Arraignment Of The Defendant

The defendant may appear in writing or in person for arraignment. In some instances, the case is continued. If the defendant pleads "guilty" at arraignment, the court imposes a fine and restitution, if applicable, and the case is closed. If the defendant pleads "not guilty", a trial is scheduled.

If Your Case Goes To Trial

If the case is scheduled for trial, Municipal Court will notify you and will provide instruction about the court process including a written outline of the process. The court will notify the officer that helped you with the citation.

If you have suffered any damage or loss, you may provide information to the court concerning the type and dollar amount of the damage/loss. Include supporting documents such as copies of receipts, pictures (if appropriate), etc. The judge may award restitution to you if the